

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST
AT TOKYO, JAPAN

Case No. 1

THE UNITED STATES OF AMERICA, et al

- vs -

ATAKI, Sadao, et al

COMMISSION TO TAKE THE DEPOSITION
OF KAGESA, Sadaaki

The defense having offered in evidence the affidavit of KAGESA, Sadaaki, together with a certificate executed by Doctor MOTOHASHI, Hitoshi, a physician, certifying that the said KAGESA is suffering from illness and unable to attend this trial and give his testimony in person, and the prosecution objecting to the giving in evidence of the testimony of the said KAGESA without opportunity to cross examine him at the time, it also appearing that the said KAGESA is now at the First National Hospital, Tokyo, it is, therefore, duly considered by this Tribunal that the evidence of the said KAGESA should be taken by deposition before one of the members of this Tribunal as Commissioner.

It is ordered that the deposition of the witness KAGESA, Sadaaki, be taken before the Honorable Mr. Justice Northcroft, a member of this Tribunal, as Commissioner so to do, at the First National Hospital, Tokyo, on the 22nd day of May, 1947, at the hour of 9:30 o'clock A.M., and from day to day and hour to hour thereafter until completed,

and the Honorable Mr. Justice Northcroft is hereby designated and appointed as Commissioner before whom said deposition shall be taken: that a sufficient number of court reporters of this Tribunal, with the assistance of interpreters of this Tribunal, shall record the testimony given, and that said deposition when taken, transcribed and translated, shall be filed with the Secretariat of this Tribunal.

It is further ordered that the Secretariat of this Tribunal is ordered to make the necessary arrangements for the taking of this deposition at the First National Hospital, Tokyo.

Dated this 21st day of May, 1947, at Tokyo, Japan.

W. F. Webb
PRESIDENT